



Rep. Silvana Tabares

**Filed: 4/10/2013**

09800HB3054ham004

LRB098 09862 MLW 44174 a

1 AMENDMENT TO HOUSE BILL 3054

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3054 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by  
5 changing Sections 1-105 and 12-215 and by adding Section  
6 12-215.1 as follows:

7 (625 ILCS 5/1-105) (from Ch. 95 1/2, par. 1-105)

8 Sec. 1-105. Authorized emergency vehicle. Emergency  
9 vehicles of municipal departments or public service  
10 corporations as are designated or authorized by proper local  
11 authorities; police vehicles; vehicles of the fire department;  
12 vehicles of a HazMat or technical rescue team authorized by a  
13 county board under Section 5-1127 of the Counties Code;  
14 ambulances; vehicles of the Illinois Department of  
15 Corrections; vehicles of the Illinois Department of Juvenile  
16 Justice; vehicles of the Illinois Emergency Management Agency;

1 vehicles of the Office of the Illinois State Fire Marshal; mine  
2 rescue and explosives emergency response vehicles of the  
3 Department of Natural Resources; vehicles of the Illinois  
4 Department of Public Health; and vehicles of a municipal or  
5 county emergency services and disaster agency, as defined by  
6 the Illinois Emergency Management Agency Act.

7 (Source: P.A. 96-214, eff. 8-10-09; 96-986, eff. 1-1-11;  
8 96-1190, eff. 7-22-10; 97-149, eff. 7-14-11; 97-333, eff.  
9 7-12-11.)

10 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

11 (Text of Section before amendment by P.A. 97-1173)

12 Sec. 12-215. Oscillating, rotating or flashing lights on  
13 motor vehicles. Except as otherwise provided in this Code:

14 (a) The use of red or white oscillating, rotating or  
15 flashing lights, whether lighted or unlighted, is prohibited  
16 except on:

17 1. Law enforcement vehicles of State, Federal or local  
18 authorities;

19 2. A vehicle operated by a police officer or county  
20 coroner and designated or authorized by local authorities,  
21 in writing, as a law enforcement vehicle; however, such  
22 designation or authorization must be carried in the  
23 vehicle;

24 2.1. A vehicle operated by a fire chief who has  
25 completed an emergency vehicle operation training course

1 approved by the Office of the State Fire Marshal and  
2 designated or authorized by local authorities, in writing,  
3 as a fire department, fire protection district, or township  
4 fire department vehicle; however, the designation or  
5 authorization must be carried in the vehicle, and the  
6 lights may be visible or activated only when responding to  
7 a bona fide emergency;

8 3. Vehicles of local fire departments and State or  
9 federal firefighting vehicles;

10 4. Vehicles which are designed and used exclusively as  
11 ambulances or rescue vehicles; furthermore, such lights  
12 shall not be lighted except when responding to an emergency  
13 call for and while actually conveying the sick or injured;

14 5. Tow trucks licensed in a state that requires such  
15 lights; furthermore, such lights shall not be lighted on  
16 any such tow truck while the tow truck is operating in the  
17 State of Illinois;

18 6. Vehicles of the Illinois Emergency Management  
19 Agency, vehicles of the Office of the Illinois State Fire  
20 Marshal, vehicles of the Illinois Department of Public  
21 Health, ~~and~~ vehicles of the Illinois Department of  
22 Corrections, and vehicles of the Illinois Department of  
23 Juvenile Justice ~~Nuclear Safety~~;

24 7. Vehicles operated by a local or county emergency  
25 management services agency as defined in the Illinois  
26 Emergency Management Agency Act;

1           8. School buses operating alternately flashing head  
2 lamps as permitted under Section 12-805 of this Code;

3           9. Vehicles that are equipped and used exclusively as  
4 organ transplant vehicles when used in combination with  
5 blue oscillating, rotating, or flashing lights;  
6 furthermore, these lights shall be lighted only when the  
7 transportation is declared an emergency by a member of the  
8 transplant team or a representative of the organ  
9 procurement organization; and

10          10. Vehicles of the Illinois Department of Natural  
11 Resources that are used for mine rescue and explosives  
12 emergency response.

13          (b) The use of amber oscillating, rotating or flashing  
14 lights, whether lighted or unlighted, is prohibited except on:

15           1. Second division vehicles designed and used for  
16 towing or hoisting vehicles; furthermore, such lights  
17 shall not be lighted except as required in this paragraph  
18 1; such lights shall be lighted when such vehicles are  
19 actually being used at the scene of an accident or  
20 disablement; if the towing vehicle is equipped with a flat  
21 bed that supports all wheels of the vehicle being  
22 transported, the lights shall not be lighted while the  
23 vehicle is engaged in towing on a highway; if the towing  
24 vehicle is not equipped with a flat bed that supports all  
25 wheels of a vehicle being transported, the lights shall be  
26 lighted while the towing vehicle is engaged in towing on a

1 highway during all times when the use of headlights is  
2 required under Section 12-201 of this Code;

3 2. Motor vehicles or equipment of the State of  
4 Illinois, local authorities and contractors; furthermore,  
5 such lights shall not be lighted except while such vehicles  
6 are engaged in maintenance or construction operations  
7 within the limits of construction projects;

8 3. Vehicles or equipment used by engineering or survey  
9 crews; furthermore, such lights shall not be lighted except  
10 while such vehicles are actually engaged in work on a  
11 highway;

12 4. Vehicles of public utilities, municipalities, or  
13 other construction, maintenance or automotive service  
14 vehicles except that such lights shall be lighted only as a  
15 means for indicating the presence of a vehicular traffic  
16 hazard requiring unusual care in approaching, overtaking  
17 or passing while such vehicles are engaged in maintenance,  
18 service or construction on a highway;

19 5. Oversized vehicle or load; however, such lights  
20 shall only be lighted when moving under permit issued by  
21 the Department under Section 15-301 of this Code;

22 6. The front and rear of motorized equipment owned and  
23 operated by the State of Illinois or any political  
24 subdivision thereof, which is designed and used for removal  
25 of snow and ice from highways;

26 (6.1) The front and rear of motorized equipment or

1 vehicles that (i) are not owned by the State of Illinois or  
2 any political subdivision of the State, (ii) are designed  
3 and used for removal of snow and ice from highways and  
4 parking lots, and (iii) are equipped with a snow plow that  
5 is 12 feet in width; these lights may not be lighted except  
6 when the motorized equipment or vehicle is actually being  
7 used for those purposes on behalf of a unit of government;

8 7. Fleet safety vehicles registered in another state,  
9 furthermore, such lights shall not be lighted except as  
10 provided for in Section 12-212 of this Code;

11 8. Such other vehicles as may be authorized by local  
12 authorities;

13 9. Law enforcement vehicles of State or local  
14 authorities when used in combination with red oscillating,  
15 rotating or flashing lights;

16 9.5. Propane delivery trucks;

17 10. Vehicles used for collecting or delivering mail for  
18 the United States Postal Service provided that such lights  
19 shall not be lighted except when such vehicles are actually  
20 being used for such purposes;

21 10.5. Vehicles of the Office of the Illinois State Fire  
22 Marshal, provided that such lights shall not be lighted  
23 except for when such vehicles are engaged in work for the  
24 Office of the Illinois State Fire Marshal;

25 11. Any vehicle displaying a slow-moving vehicle  
26 emblem as provided in Section 12-205.1;

1           12. All trucks equipped with self-compactors or  
2 roll-off hoists and roll-on containers for garbage or  
3 refuse hauling. Such lights shall not be lighted except  
4 when such vehicles are actually being used for such  
5 purposes;

6           13. Vehicles used by a security company, alarm  
7 responder, ~~or~~ control agency, or the Illinois Department of  
8 Corrections;

9           14. Security vehicles of the Department of Human  
10 Services; however, the lights shall not be lighted except  
11 when being used for security related purposes under the  
12 direction of the superintendent of the facility where the  
13 vehicle is located; and

14           15. Vehicles of union representatives, except that the  
15 lights shall be lighted only while the vehicle is within  
16 the limits of a construction project.

17           (c) The use of blue oscillating, rotating or flashing  
18 lights, whether lighted or unlighted, is prohibited except on:

19           1. Rescue squad vehicles not owned by a fire department  
20 and vehicles owned or operated by a:

21                   voluntary firefighter;

22                   paid firefighter;

23                   part-paid firefighter;

24                   call firefighter;

25                   member of the board of trustees of a fire  
26 protection district;

1           paid or unpaid member of a rescue squad;  
2           paid or unpaid member of a voluntary ambulance  
3           unit; or  
4           paid or unpaid members of a local or county  
5           emergency management services agency as defined in the  
6           Illinois Emergency Management Agency Act, designated  
7           or authorized by local authorities, in writing, and  
8           carrying that designation or authorization in the  
9           vehicle.

10          However, such lights are not to be lighted except when  
11          responding to a bona fide emergency or when parked or  
12          stationary at the scene of a fire, rescue call, ambulance  
13          call, or motor vehicle accident.

14          Any person using these lights in accordance with this  
15          subdivision (c)1 must carry on his or her person an  
16          identification card or letter identifying the bona fide  
17          member of a fire department, fire protection district,  
18          rescue squad, ambulance unit, or emergency management  
19          services agency that owns or operates that vehicle. The  
20          card or letter must include:

21                 (A) the name of the fire department, fire  
22                 protection district, rescue squad, ambulance unit, or  
23                 emergency management services agency;

24                 (B) the member's position within the fire  
25                 department, fire protection district, rescue squad,  
26                 ambulance unit, or emergency management services



1 agency;

2 (C) the member's term of service; and

3 (D) the name of a person within the fire  
4 department, fire protection district, rescue squad,  
5 ambulance unit, or emergency management services  
6 agency to contact to verify the information provided.

7 2. Police department vehicles in cities having a  
8 population of 500,000 or more inhabitants.

9 3. Law enforcement vehicles of State or local  
10 authorities when used in combination with red oscillating,  
11 rotating or flashing lights.

12 4. Vehicles of local fire departments and State or  
13 federal firefighting vehicles when used in combination  
14 with red oscillating, rotating or flashing lights.

15 5. Vehicles which are designed and used exclusively as  
16 ambulances or rescue vehicles when used in combination with  
17 red oscillating, rotating or flashing lights; furthermore,  
18 such lights shall not be lighted except when responding to  
19 an emergency call.

20 6. Vehicles that are equipped and used exclusively as  
21 organ transport vehicles when used in combination with red  
22 oscillating, rotating, or flashing lights; furthermore,  
23 these lights shall only be lighted when the transportation  
24 is declared an emergency by a member of the transplant team  
25 or a representative of the organ procurement organization.

26 7. Vehicles of the Illinois Emergency Management

1 Agency, vehicles of the Office of the Illinois State Fire  
2 Marshal, vehicles of the Illinois Department of Public  
3 Health, ~~and~~ vehicles of the Illinois Department of  
4 Corrections, and vehicles of the Illinois Department of  
5 Juvenile Justice ~~Nuclear Safety~~, when used in combination  
6 with red oscillating, rotating, or flashing lights.

7 8. Vehicles operated by a local or county emergency  
8 management services agency as defined in the Illinois  
9 Emergency Management Agency Act, when used in combination  
10 with red oscillating, rotating, or flashing lights.

11 9. Vehicles of the Illinois Department of Natural  
12 Resources that are used for mine rescue and explosives  
13 emergency response, when used in combination with red  
14 oscillating, rotating, or flashing lights.

15 (c-1) In addition to the blue oscillating, rotating, or  
16 flashing lights permitted under subsection (c), and  
17 notwithstanding subsection (a), a vehicle operated by a  
18 voluntary firefighter, a voluntary member of a rescue squad, or  
19 a member of a voluntary ambulance unit may be equipped with  
20 flashing white headlights and blue grill lights, which may be  
21 used only in responding to an emergency call or when parked or  
22 stationary at the scene of a fire, rescue call, ambulance call,  
23 or motor vehicle accident.

24 (c-2) In addition to the blue oscillating, rotating, or  
25 flashing lights permitted under subsection (c), and  
26 notwithstanding subsection (a), a vehicle operated by a paid or

1 unpaid member of a local or county emergency management  
2 services agency as defined in the Illinois Emergency Management  
3 Agency Act, may be equipped with white oscillating, rotating,  
4 or flashing lights to be used in combination with blue  
5 oscillating, rotating, or flashing lights, if authorization by  
6 local authorities is in writing and carried in the vehicle.

7 (d) The use of a combination of amber and white  
8 oscillating, rotating or flashing lights, whether lighted or  
9 unlighted, is prohibited except motor vehicles or equipment of  
10 the State of Illinois, local authorities, contractors, and  
11 union representatives may be so equipped; furthermore, such  
12 lights shall not be lighted on vehicles of the State of  
13 Illinois, local authorities, and contractors except while such  
14 vehicles are engaged in highway maintenance or construction  
15 operations within the limits of highway construction projects,  
16 and shall not be lighted on the vehicles of union  
17 representatives except when those vehicles are within the  
18 limits of a construction project.

19 (e) All oscillating, rotating or flashing lights referred  
20 to in this Section shall be of sufficient intensity, when  
21 illuminated, to be visible at 500 feet in normal sunlight.

22 (f) Nothing in this Section shall prohibit a manufacturer  
23 of oscillating, rotating or flashing lights or his  
24 representative from temporarily mounting such lights on a  
25 vehicle for demonstration purposes only.

26 (g) Any person violating the provisions of subsections (a),

1 (b), (c) or (d) of this Section who without lawful authority  
2 stops or detains or attempts to stop or detain another person  
3 shall be guilty of a Class 2 felony.

4 (h) Except as provided in subsection (g) above, any person  
5 violating the provisions of subsections (a) or (c) of this  
6 Section shall be guilty of a Class A misdemeanor.

7 (Source: P.A. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10;  
8 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff.  
9 7-13-12.)

10 (Text of Section after amendment by P.A. 97-1173)

11 Sec. 12-215. Oscillating, rotating or flashing lights on  
12 motor vehicles. Except as otherwise provided in this Code:

13 (a) The use of red or white oscillating, rotating or  
14 flashing lights, whether lighted or unlighted, is prohibited  
15 except on:

16 1. Law enforcement vehicles of State, Federal or local  
17 authorities;

18 2. A vehicle operated by a police officer or county  
19 coroner and designated or authorized by local authorities,  
20 in writing, as a law enforcement vehicle; however, such  
21 designation or authorization must be carried in the  
22 vehicle;

23 2.1. A vehicle operated by a fire chief who has  
24 completed an emergency vehicle operation training course  
25 approved by the Office of the State Fire Marshal and

1 designated or authorized by local authorities, in writing,  
2 as a fire department, fire protection district, or township  
3 fire department vehicle; however, the designation or  
4 authorization must be carried in the vehicle, and the  
5 lights may be visible or activated only when responding to  
6 a bona fide emergency;

7 3. Vehicles of local fire departments and State or  
8 federal firefighting vehicles;

9 4. Vehicles which are designed and used exclusively as  
10 ambulances or rescue vehicles; furthermore, such lights  
11 shall not be lighted except when responding to an emergency  
12 call for and while actually conveying the sick or injured;

13 5. Tow trucks licensed in a state that requires such  
14 lights; furthermore, such lights shall not be lighted on  
15 any such tow truck while the tow truck is operating in the  
16 State of Illinois;

17 6. Vehicles of the Illinois Emergency Management  
18 Agency, vehicles of the Office of the Illinois State Fire  
19 Marshal, vehicles of the Illinois Department of Public  
20 Health, ~~and~~ vehicles of the Illinois Department of  
21 Corrections, and vehicles of the Illinois Department of  
22 Juvenile Justice ~~Nuclear Safety~~;

23 7. Vehicles operated by a local or county emergency  
24 management services agency as defined in the Illinois  
25 Emergency Management Agency Act;

26 8. School buses operating alternately flashing head

1 lamps as permitted under Section 12-805 of this Code;

2 9. Vehicles that are equipped and used exclusively as  
3 organ transplant vehicles when used in combination with  
4 blue oscillating, rotating, or flashing lights;  
5 furthermore, these lights shall be lighted only when the  
6 transportation is declared an emergency by a member of the  
7 transplant team or a representative of the organ  
8 procurement organization; and

9 10. Vehicles of the Illinois Department of Natural  
10 Resources that are used for mine rescue and explosives  
11 emergency response.

12 (b) The use of amber oscillating, rotating or flashing  
13 lights, whether lighted or unlighted, is prohibited except on:

14 1. Second division vehicles designed and used for  
15 towing or hoisting vehicles; furthermore, such lights  
16 shall not be lighted except as required in this paragraph  
17 1; such lights shall be lighted when such vehicles are  
18 actually being used at the scene of an accident or  
19 disablement; if the towing vehicle is equipped with a flat  
20 bed that supports all wheels of the vehicle being  
21 transported, the lights shall not be lighted while the  
22 vehicle is engaged in towing on a highway; if the towing  
23 vehicle is not equipped with a flat bed that supports all  
24 wheels of a vehicle being transported, the lights shall be  
25 lighted while the towing vehicle is engaged in towing on a  
26 highway during all times when the use of headlights is

1 required under Section 12-201 of this Code;

2 2. Motor vehicles or equipment of the State of  
3 Illinois, local authorities and contractors; furthermore,  
4 such lights shall not be lighted except while such vehicles  
5 are engaged in maintenance or construction operations  
6 within the limits of construction projects;

7 3. Vehicles or equipment used by engineering or survey  
8 crews; furthermore, such lights shall not be lighted except  
9 while such vehicles are actually engaged in work on a  
10 highway;

11 4. Vehicles of public utilities, municipalities, or  
12 other construction, maintenance or automotive service  
13 vehicles except that such lights shall be lighted only as a  
14 means for indicating the presence of a vehicular traffic  
15 hazard requiring unusual care in approaching, overtaking  
16 or passing while such vehicles are engaged in maintenance,  
17 service or construction on a highway;

18 5. Oversized vehicle or load; however, such lights  
19 shall only be lighted when moving under permit issued by  
20 the Department under Section 15-301 of this Code;

21 6. The front and rear of motorized equipment owned and  
22 operated by the State of Illinois or any political  
23 subdivision thereof, which is designed and used for removal  
24 of snow and ice from highways;

25 (6.1) The front and rear of motorized equipment or  
26 vehicles that (i) are not owned by the State of Illinois or

1 any political subdivision of the State, (ii) are designed  
2 and used for removal of snow and ice from highways and  
3 parking lots, and (iii) are equipped with a snow plow that  
4 is 12 feet in width; these lights may not be lighted except  
5 when the motorized equipment or vehicle is actually being  
6 used for those purposes on behalf of a unit of government;

7 7. Fleet safety vehicles registered in another state,  
8 furthermore, such lights shall not be lighted except as  
9 provided for in Section 12-212 of this Code;

10 8. Such other vehicles as may be authorized by local  
11 authorities;

12 9. Law enforcement vehicles of State or local  
13 authorities when used in combination with red oscillating,  
14 rotating or flashing lights;

15 9.5. Propane delivery trucks;

16 10. Vehicles used for collecting or delivering mail for  
17 the United States Postal Service provided that such lights  
18 shall not be lighted except when such vehicles are actually  
19 being used for such purposes;

20 10.5. Vehicles of the Office of the Illinois State Fire  
21 Marshal, provided that such lights shall not be lighted  
22 except for when such vehicles are engaged in work for the  
23 Office of the Illinois State Fire Marshal;

24 11. Any vehicle displaying a slow-moving vehicle  
25 emblem as provided in Section 12-205.1;

26 12. All trucks equipped with self-compactors or



1 roll-off hoists and roll-on containers for garbage or  
2 refuse hauling. Such lights shall not be lighted except  
3 when such vehicles are actually being used for such  
4 purposes;

5 13. Vehicles used by a security company, alarm  
6 responder, ~~or~~ control agency, or the Illinois Department of  
7 Corrections;

8 14. Security vehicles of the Department of Human  
9 Services; however, the lights shall not be lighted except  
10 when being used for security related purposes under the  
11 direction of the superintendent of the facility where the  
12 vehicle is located; and

13 15. Vehicles of union representatives, except that the  
14 lights shall be lighted only while the vehicle is within  
15 the limits of a construction project.

16 (c) The use of blue oscillating, rotating or flashing  
17 lights, whether lighted or unlighted, is prohibited except on:

18 1. Rescue squad vehicles not owned by a fire department  
19 and vehicles owned or operated by a:

20 voluntary firefighter;

21 paid firefighter;

22 part-paid firefighter;

23 call firefighter;

24 member of the board of trustees of a fire  
25 protection district;

26 paid or unpaid member of a rescue squad;

1           paid or unpaid member of a voluntary ambulance  
2           unit; or

3           paid or unpaid members of a local or county  
4           emergency management services agency as defined in the  
5           Illinois Emergency Management Agency Act, designated  
6           or authorized by local authorities, in writing, and  
7           carrying that designation or authorization in the  
8           vehicle.

9           However, such lights are not to be lighted except when  
10          responding to a bona fide emergency or when parked or  
11          stationary at the scene of a fire, rescue call, ambulance  
12          call, or motor vehicle accident.

13          Any person using these lights in accordance with this  
14          subdivision (c)1 must carry on his or her person an  
15          identification card or letter identifying the bona fide  
16          member of a fire department, fire protection district,  
17          rescue squad, ambulance unit, or emergency management  
18          services agency that owns or operates that vehicle. The  
19          card or letter must include:

20                 (A) the name of the fire department, fire  
21                 protection district, rescue squad, ambulance unit, or  
22                 emergency management services agency;

23                 (B) the member's position within the fire  
24                 department, fire protection district, rescue squad,  
25                 ambulance unit, or emergency management services  
26                 agency;

1 (C) the member's term of service; and

2 (D) the name of a person within the fire  
3 department, fire protection district, rescue squad,  
4 ambulance unit, or emergency management services  
5 agency to contact to verify the information provided.

6 2. Police department vehicles in cities having a  
7 population of 500,000 or more inhabitants.

8 3. Law enforcement vehicles of State or local  
9 authorities when used in combination with red oscillating,  
10 rotating or flashing lights.

11 4. Vehicles of local fire departments and State or  
12 federal firefighting vehicles when used in combination  
13 with red oscillating, rotating or flashing lights.

14 5. Vehicles which are designed and used exclusively as  
15 ambulances or rescue vehicles when used in combination with  
16 red oscillating, rotating or flashing lights; furthermore,  
17 such lights shall not be lighted except when responding to  
18 an emergency call.

19 6. Vehicles that are equipped and used exclusively as  
20 organ transport vehicles when used in combination with red  
21 oscillating, rotating, or flashing lights; furthermore,  
22 these lights shall only be lighted when the transportation  
23 is declared an emergency by a member of the transplant team  
24 or a representative of the organ procurement organization.

25 7. Vehicles of the Illinois Emergency Management  
26 Agency, vehicles of the Office of the Illinois State Fire

1 Marshal, vehicles of the Illinois Department of Public  
2 Health, ~~and~~ vehicles of the Illinois Department of  
3 Corrections, and vehicles of the Illinois Department of  
4 Juvenile Justice Nuclear Safety, when used in combination  
5 with red oscillating, rotating, or flashing lights.

6 8. Vehicles operated by a local or county emergency  
7 management services agency as defined in the Illinois  
8 Emergency Management Agency Act, when used in combination  
9 with red oscillating, rotating, or flashing lights.

10 9. Vehicles of the Illinois Department of Natural  
11 Resources that are used for mine rescue and explosives  
12 emergency response, when used in combination with red  
13 oscillating, rotating, or flashing lights.

14 (c-1) In addition to the blue oscillating, rotating, or  
15 flashing lights permitted under subsection (c), and  
16 notwithstanding subsection (a), a vehicle operated by a  
17 voluntary firefighter, a voluntary member of a rescue squad, or  
18 a member of a voluntary ambulance unit may be equipped with  
19 flashing white headlights and blue grill lights, which may be  
20 used only in responding to an emergency call or when parked or  
21 stationary at the scene of a fire, rescue call, ambulance call,  
22 or motor vehicle accident.

23 (c-2) In addition to the blue oscillating, rotating, or  
24 flashing lights permitted under subsection (c), and  
25 notwithstanding subsection (a), a vehicle operated by a paid or  
26 unpaid member of a local or county emergency management

1 services agency as defined in the Illinois Emergency Management  
2 Agency Act, may be equipped with white oscillating, rotating,  
3 or flashing lights to be used in combination with blue  
4 oscillating, rotating, or flashing lights, if authorization by  
5 local authorities is in writing and carried in the vehicle.

6 (d) The use of a combination of amber and white  
7 oscillating, rotating or flashing lights, whether lighted or  
8 unlighted, is prohibited except motor vehicles or equipment of  
9 the State of Illinois, local authorities, contractors, and  
10 union representatives may be so equipped; furthermore, such  
11 lights shall not be lighted on vehicles of the State of  
12 Illinois, local authorities, and contractors except while such  
13 vehicles are engaged in highway maintenance or construction  
14 operations within the limits of highway construction projects,  
15 and shall not be lighted on the vehicles of union  
16 representatives except when those vehicles are within the  
17 limits of a construction project.

18 (e) All oscillating, rotating or flashing lights referred  
19 to in this Section shall be of sufficient intensity, when  
20 illuminated, to be visible at 500 feet in normal sunlight.

21 (f) Nothing in this Section shall prohibit a manufacturer  
22 of oscillating, rotating or flashing lights or his  
23 representative or authorized vendor from temporarily mounting  
24 such lights on a vehicle for demonstration purposes only. If  
25 the lights are not covered while the vehicle is operated upon a  
26 highway, the vehicle shall display signage indicating that the

1 vehicle is out of service or not an emergency vehicle. The  
2 signage shall be displayed on all sides of the vehicle in  
3 letters at least 2 inches tall and one-half inch wide. A  
4 vehicle authorized to have oscillating, rotating, or flashing  
5 lights mounted for demonstration purposes may not activate the  
6 lights while the vehicle is operated upon a highway.

7 (g) Any person violating the provisions of subsections (a),  
8 (b), (c) or (d) of this Section who without lawful authority  
9 stops or detains or attempts to stop or detain another person  
10 shall be guilty of a Class 2 felony.

11 (h) Except as provided in subsection (g) above, any person  
12 violating the provisions of subsections (a) or (c) of this  
13 Section shall be guilty of a Class A misdemeanor.

14 (Source: P.A. 96-214, eff. 8-10-09; 96-1190, eff. 7-22-10;  
15 97-39, eff. 1-1-12; 97-149, eff. 7-14-11; 97-813, eff. 7-13-12;  
16 97-1173, eff. 1-1-14.)

17 (625 ILCS 5/12-215.1 new)

18 Sec. 12-215.1. Possession of oscillating, rotating, or  
19 flashing lights in motor vehicles; police equipment, markings,  
20 and other indicia of emergency vehicle authority.

21 (a) A person, except those given exceptions in Section  
22 12-215 or 12-609 of this Code, may not possess or be in actual  
23 physical control of oscillating, rotating, or flashing lights  
24 or other indicia of emergency vehicle authority within any  
25 portion of a motor vehicle, including but not limited to

1 wig-wags, red and blue LEDs, sirens, mounted or affixed devices  
2 or other equipment, markings or indicia of emergency vehicle  
3 authority.

4 (b) A person found guilty of violating this Section is  
5 guilty of a Class A misdemeanor.

6 (c) Oscillating, rotating, or flashing lights and any other  
7 equipment, markings, or indicia of emergency vehicle authority  
8 shall be seized by the law enforcement officer at the time of a  
9 violation of this Section or of Section 12-215 or 12-609 of  
10 this Code upon any legal search. The officer may seize the  
11 vehicle containing the prohibited device or mechanism, and this  
12 device or mechanism shall be removed and held for evidentiary  
13 purposes. When the device or mechanism is no longer needed for  
14 evidence, the defendant may petition the court for the return  
15 of the device or mechanism. The defendant must prove to the  
16 court by a preponderance of the evidence that the device or  
17 mechanism will be used for a legitimate and lawful purpose.

18 Section 95. No acceleration or delay. Where this Act makes  
19 changes in a statute that is represented in this Act by text  
20 that is not yet or no longer in effect (for example, a Section  
21 represented by multiple versions), the use of that text does  
22 not accelerate or delay the taking effect of (i) the changes  
23 made by this Act or (ii) provisions derived from any other  
24 Public Act.

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.".